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English Institutions and the American Indian.

By James A. James.

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Preface.

The Indian Department of our government, in nearly all its varied changes, finds a prototype, at times crude and again well developed, in one or more of the original Colonies. There is to be found in the factory system, license of trade, provisions for the acquisition of lands, annuities, presents, education, reservations, superintendents, and Indian agents of the United States Government a very considerable of early colonial legislation.

The Indian has always been a subject for much discussion. The literature

on the "Indian Problem" has been unsurpassed by that relating to any other topic, except perhaps Slavery. Writers who have chosen this theme may be placed in two general groups: the one criticises any attempt to ameliorate the condition of the Indian through some governmental intervention; the other group sees only a series of wrongs from the first landing of the white man, - the Indian dispossessed of his birth-right, enslaved and degraded.

It is not my purpose to be an historical critic

further than to note the growth of institutions as they are set forth in the various colonial records and in the legislative enactments. I have not attempted to complete the picture for every colony, but have chosen Massachusetts, New York, and Virginia as types, noting any important changes or variations which may have occurred in the other colonies. While recounting the English I have referred at various times to the Spanish and the French colonies. By such a comparison, common institutions [illegible]

[illegible] to the differences [illegible] [illegible] [illegible].

I am indebted to Professor Herbert B. Adams, and to Professor Frederick J. Turner of the University of Wisconsin for many suggestions in the preparation of this work. I take this opportunity of returning my thanks to them.

[illegible] C. [illegible].

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Contents

Page

I Introduction 3.
II Wampum as currency. 7.
III. The French Policy. 15
IV. The English Policy 22
Land Purchases
1. In Massachusetts. 26
2. In New York. 27
3. In Pennsylvania. 31
4. In Virginia 34
V. Indian Management. 37
VI. Indian Trade. 41
1. In Plymouth colony. 45
Trade in Common. 45
2. In the United Colonies. 47
3. In Massachusetts Bay Colony. 50
4. In Virginia. 54
Furs. 54
5. Traffic in Fire-arms. 57
6. Sale of Liquor 66

7. Criticism on the Policy. 68
VII. Trading House System. 70
VIII. Indian Slavery. 101
1. The Spanish Policy. 101
2. The English Policy. [illegible]
In Massachusetts. 105
In Virginia. 115
In [illegible] 120
In Connecticut. 123.

Biographical 126.

Introduction.

The Indian, when seen by the first Europeans, had made but little advancement beyond the hunting and fishing stage. Tribal right to any particular region over which the tribe roamed(1), to territory whereon rude cabins were erected, can not be said to have been founded on any stronger basis than the right of present occupancy. Inheritance obtained in a [illegible] and family [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

The vast territory(2) east of the Mississippi river and between the Carolinas and

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1. Gallatin, Indian Languages, 150
2. Parkman, Pioneers of France. 307

Hudson's Bay was divided [illegible] "[illegible] of tribes", the Algonquins and the Iroquois.[1] The earliest territory of the Iroquois family [illegible] of the State of New York. Almost completely surrounding the Iroquois were the Algonquins. They occupied New England, nearly all of the North West Territory and parts of Pennsylvania, Virginia, and New Jersey. Canada, New Brunswick, and Nova Scotia, were also in the possession of [illegible]

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[1] See map in [illegible] [illegible]

[illegible], [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] the Mississippi river [illegible] [illegible] the beginning of the 17th century [illegible] [illegible] [illegible] the [illegible] of Lake Michigan."[1]

It is [illegible] to [illegible] [illegible] one class, the Indians south of a line running westward from Cape Fear. The Cherokees and their near allies would doubtless have embraced [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] mountains [illegible] [illegible] [illegible] portions of the present states of Tennessee, Alabama, Georgia, and the Carolinas."[2] The

---

1. Parkman, Jesuit [illegible], [illegible].
2. For [illegible] [illegible] [illegible] [illegible] Adair, [illegible]

classification into the tribes noted have arisen from the well marked distinctions between Indian languages"[1].

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[1] Minnesota Hist. Soc. Coll. I. [illegible]

Iroquois Ascendency

The Iroquois, "the Indian of Indians, the thorough savage yet a finished and developed savage", occupy a unique position in the history of the struggle for the mastery between the rival powers of France and England in the New World. During the seventeenth and eighteenth centuries the confederated Five Nations[1] held the balance of power between these two contestants. No threats, promises, or acts of diplomacy on the part of the French ever fully broke the "chain" which bound the Iroquois to the English. Were it not for this leading position

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[1] Joined by the Tuscaroras 1715. This tribe migrated from North Carolina

of the Iroquois to the French, New York might have been secured to Louis XIV. In that case the whole current of American history would be different and Federal Union an impossibility." To this Indian League, France must chiefly ascribe the final overthrow of her magnificent schemes of colonization in America."(1) The Iroquois alliance with the English formed the chief basis in American history down to the year 1763. From it also arose indirectly many vexed questions which were settled on the part of the government

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(1) Morgan League of the Iroquois

of the United States, only after much diplomacy and bloodshed. Why was their friendship sought by the English? 'In what other sense did they become the 'scourge' from among the aborigines of the continent"?

At the time of the first French and English settlements they were rapidly becoming the terror of the whole country. Outlying isolated tribes were falling rapidly under their powerful onset or were being scattered in all directions. Says General Walker: "It would not be too [illegible] that, but for the Iroquois,

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1. Walker, "Indian Question", N. A. Review April, 1873, [illegible]

the settlement of the country by the whites would not have taken place; yet assuredly, that settlement would have been longer delayed, and have been finally accomplished with far greater [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible], destroying or driving out tribe after tribe, [illegible] with [illegible] might, for more than one generation at least, have stayed the western course of [illegible] [illegible].

John Smith met some of their canoes at the mouth of the Susquehanna river in the year 1608. They were then on the way to attack their enemies.(1) The [illegible] were defeated [illegible] [illegible] later and compelled to put themselves under the protection of the Iroquois.(2) [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] their Algonquin enemies [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] of the Iroquois. That they were [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] for by the [illegible] of the

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(1) Jefferson, Virginia. 3[illegible]

(2) 3[illegible]2

Frenchmen, armed with muskets, under the leadership of Champlain(1).

After the recoil of the Iroquois from the arquebuses of Champlain, they regarded the "gun as a [illegible]," they saw, in this weapon, the superiority of their enemies and were willing to make any sacrifices to obtain it. Free traders from Holland traded a few guns to the Mohawks(2). Four hundred warriors were soon equipped.

Now began those raids which led to a complete supremacy over all the others.

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1. [illegible] Hist. III - 35
2. [illegible] III 35

tribes east of the Mississippi river. Before the year 1670 they were victors over the Adirondacks of Canada. They had also taken possession of the territory between lakes Huron, Erie and Ontario and extending through to Montreal. No distant solitude, says Morgan; or rugged fastness was too obscure or difficult to escape their visitation; no enterprise was too perilous, no fatigue too great for their courage and endurance."[1]

The Iroquois claimed, by right of conquest, the territory reaching from Lake

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[1] Morgan, League of the Iroquois. 13

[illegible] to the Tennessee river and from the mountains to the Mississippi. At various places throughout their territory, they [illegible] [illegible] in order that they might maintain possession and collect tribute. The power of this confederacy then, was a bulwark against the advance of the French [illegible] so nearly consummated.

It remains to trace the Indian policies of the French and the English as carried through the attempts of these nations to gain supremacy over the [illegible] [illegible] [illegible]

French Policy.

With reference to the general policy of the French, Governor Lewis Cass said: "There is a peculiar adaptation in French character. The Frenchman accommodates himself to any situation in which he may be placed. Whether the Seine and whether the St. Lawrence, if not equally [illegible] he is equally content, and during two centuries, in the midst of the American forests, he has associated with their native tenants, and as he could not elevate them to his own standard, he has descended to theirs".

The French as a nation,

A. M. L. Review Vol. 2 – [illegible]

always sought to hold the balance of power between various tribes. They desired to be the ruling influence in Indian councils and trade [illegible] in the west. [illegible] of French [illegible] the most intimate manner. French prosperity grew out of their relations with the tribes. Officers who administered the [illegible] of the necessities of the situation and acted in accordance. The methods adopted were many of them similar to those by which Spain gained supremacy in the South. In time, the English appropriated the means of

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Penn. Archives I. 8

diplomacy which had been used by the French.(1)

The alliance of Champlain, in 1609,(2) was, in a sense, the prototype of the future advancement of the nation he represented. As has been noted, he became indispensable to the Algonquins and the Hurons against their Iroquois foe.

Among the Hurons were placed the first French [illegible] posts. Through alliances with these tribes France carried out her scheme of colonization. There was a [illegible] of goods at the posts.

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1. N. Y. Col. Doc's. II. 208.
2. Parkman, Pioneers of France 337.

Previous [illegible], [illegible] numbers of French, singly or in parties, accompanied by savage bands, had penetrated the depths of the wilderness. They went as [illegible][1] [illegible] rarely did they meet with a [illegible]. [illegible] more certain in that many [illegible], [illegible] marriage, members of a tribe.[2] The government soon realized [illegible] be strengthened as the traders [illegible]. [illegible] French, by adoption, became members of a tribe[3], their advice had great weight

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1. N. Y. Col. Doc's. II. 207.
2. N. Y. Col. Doc's V. 626.
3. Narrative and Critical History IV. 4.

in [illegible] council. They treated

[illegible]

[illegible]

different from the coldness

of the [illegible]. [illegible]

them even while inspiring

them with wholesome terror.

[illegible]

repressed through [illegible]

[illegible]

for contempt.[1] "Martial law

[illegible]

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[1] Charlevoix [illegible] France [illegible]

surrounded by all the safeguards of the English criminal law. Such "conscientious clemency", the Indians rarely [illegible] or [illegible].

The French [illegible] to plant colonies in America on an agricultural basis. Strategic points were seized. To these outlying posts the [illegible] [illegible] [illegible] [illegible]. [illegible] [illegible] occupancy of land. Thus was the most fruitful source of disagreement escaped. From a treaty of the year [illegible] the distinguishing points, [illegible]

to win the good will of the Indians, may be gathered. French families were to settle in the Huron country. Suitable lots were granted on which cabins were to be erected. Hunting and fishing were to be in common. Indian protection was to be extended to the French. A generous supply of goods to meet the wants of the natives did not fail to win their good will and command their services.

The relations thus established between the French and the natives continued down till even after the extinction of the [illegible]

claims of France".(1)

The English Policy.

In the article previously referred to, Governor Cass says: "If any restraints were imposed by the British authorities upon the intercourse with the Indian traders, either in relation to their general conduct, or the price of their goods, these restraints have escaped our investigation.... There was no attempt to provide a permanent residence for the Indians. There were no

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(1) Winsor, Narr. and Critical History, II

[illegible] that we [illegible] to introduce agriculture or the [illegible] arts. [illegible] [illegible] [illegible] the [illegible] of the [illegible]". The general policy of the English is more at [illegible] points. [illegible] of [illegible], [illegible] of the [illegible] of [illegible], is without [illegible].

In their earliest dealings with the Indians, the original English colonial policy was quite different from that of the French. The English did not come for a transient trading expedition but to found agricultural community.

[illegible] permanent or temporary [illegible] fortifications of the colonists as they reached out into the wilderness, establishing like settlements or carrying on their traffic with the natives.

Transfers of Land.

In considering the [illegible] colonization, it must be noted that the independent position of the colonists rendered them more liable to transgress than had they been under one ruler. No relation has been more productive of discord than that of the land tenure. Especially was this true among the isolated colonies.

From the first, the Europeans assumed right of ownership based on the laws of nations. The Indians were granted right of occupancy. Purchase or conquest was necessary in obtaining the dominium utile. Later, the Indians came to be regarded as foreign nations, [illegible] of the king. One article of the treaty of alliance usually put the lands occupied by the tribe under the protection of the crown.(1)

When the colonists came to make a bargain the tribes were unable to define the [illegible] of their [illegible]

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1. N. Y. Col. Docs. [illegible]

of the tribes claimed all of the land within the bounds of another tribe or held as theirs, large tracts claimed by other tribes. Two purchases were necessary or war was inevitable. The Indian cared only for the game on his land. Price was unknown to him until the whites made purchases. Mr. Weeden states; that the [illegible] [illegible] of [illegible] [illegible] [illegible] [illegible] [illegible] to the [illegible] [illegible] [illegible] [illegible] in New England, "We forget" he says; "that the value of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] and [illegible] tribes.[1] It is to be remembered that the New England Indians [illegible] been reduced by the Iroquois and did not at first impede the possession of the English.

Purchase of land from the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possessed and improved by themselves, Governor Winslow of Plymouth in his report to the Federal Commissioners in 1676 confirms the statement that there was an attempt at justice in the

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[1] Weeden, Economic History of New England. I

part of the colonists in their early relations with the Indians regarding the land purchases. What he says of Plymouth seems to have been equally true of the other colonies. He says: "I think I can clearly say that before these present troubles broke out, the English did not possess one foot of land in this colony but what was fairly obtained by honest purchase of the Indian proprietors. Nay, because some of our people are of a covetous disposition, and the Indians are in their straits easily prevailed with to part with their lands, we

first made a law that none should purchase or receive of gift any land of the Indians without the knowledge and allowance of our Court--- And if at any time they have brought complaints before us, they have had justice impartial and speedy, so that our own people have frequently complained that we erred on the other hand in showing them overmuch favor."

The first Hampton Book of Laws for the New-York Colony provided that no purchase of lands from the Indians after the year [illegible] allowed by [illegible]

the sachems of the tribe were brought by the purchasers before the governor, after satisfaction was rendered the king, the deeds were recorded in the Governors' office. One of the transfers of 1683 may be noted as typical. The conveyance consisted of lands owned by the Kekerappan and [illegible], situated on the Susquehanna river and included their right to the river itself. They were to receive in return, a half piece of Duffels, two Blankets, two Guns, three kettles, four Coats, fifty lbs. of Lead, and five [illegible] [illegible]

[illegible]

ile. of murder".[1]

Governor Burnet in 1721 sent the following order to his agent; "When you have pitch'd upon a convenient place for a Trading house you are to endeavour to purchase a Tract of land in the Kings Name and to agree with the Senecas for it which shall be paid by the Publick".[2]

The policy instituted by Penn[3] seems to have been followed by the colony of Pennsylvania throughout its subsequent history. All differences were to be settled by a [illegible]

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1. Doc. Hist. N. Y. I. 2.
2. N. Y. Col. Docs. I. [illegible]
3. Penn. Col. Records [illegible]

both parties should be represented[1]. No lands were to be sold any private persons by the Indians. Nor was any purchase valid except that made by Penn or his Commissioners[2]. Any one refused to submit to such ruling, not only lost the land he bought but was subject to a fine of ten shillings for every one hundred acres so purchased[3].

It has been noted, the Delawares were subdued before Penn's coming and would [illegible] [illegible] [illegible] previously submitted to a [illegible] [illegible] [illegible]. [illegible]

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1. [illegible] [illegible] [illegible] I, p. 11
2. Penna. Col. Records III, [illegible]
3. Duke of York's Book of Laws [illegible]
[illegible] 183, 204.

the strictness of the rulings in regard of justice towards the almost vanquished tribe, that hunters on Indian lands not purchased by the proprietor, were fined fifty pounds and were imprisoned twelve months. For every offense against the law regarding the survey of unpurchased lands, there was a penalty of five hundred pounds and twelve months imprisonment without bail.

Land, forming the present site of Philadelphia, was purchased by Thomas Holme, President of the Governor's Council, in the absence of Penn in 1685

The "treaty" was agreed to by the Indians in consideration of 200 fathom of wampum, 30 fathom of duffels, 30 guns, 60 fathom of strand waters, 30 kettles, 30 shirts, 20 gun-belts, 12 pair shoes, 30 pair stockings, 30 pair scissors, 30 combs, 30 axes, 30 knives, 21 tobacco [illegible], 30 [illegible] pounds of [illegible], 30 [illegible], 30 [illegible], [illegible], 3 [illegible] of [illegible], [illegible], [illegible], 30 [illegible] of hawks bells, 6 drawing knives, [illegible], [illegible]."[1]

[illegible]

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[1] Memoirs of Hist. Society of Penn. Vol. II part 1.

"Their [illegible] to [illegible] it [illegible] to [illegible], [illegible] interpretation that our comming thither is to [illegible] ourselves in their country, [illegible] not to supplant and roote [illegible] their base condition to a farre better"[1] An [illegible] in the year 1705 provided that no person should under any pretext take possession of [illegible].[2]

[illegible]

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[1] Force Papers I Nova Britannia I [illegible].

[2] Laws of Virginia. 1705. I. II. sec. 2.

that the greater part of Virginia had been acquired by purchases made in the [illegible] [illegible].[1]

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[1] Jefferson [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] by the [illegible]
[illegible] [illegible] [illegible] the [illegible] [illegible]
consent of the councils, Commissioners
were appointed from time to time,

The General Court of Massachusetts
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible].
[illegible] were to be approved by the
[illegible] court, [illegible] of [illegible]
[illegible] [illegible], [illegible] [illegible] [illegible]
[illegible] magistrate constituted
[illegible] [illegible] court [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] of the
[illegible] court, [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible],
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] of the [illegible]

[illegible] of [illegible],

[illegible] was the [illegible] [illegible]. The influence of a policy adopted at Albany was tacitly accepted by her sister commonwealths. Sir William Johnson was [illegible] superintendent of Indian affairs, he was well received from the first by the Indians. He found a department which had been [illegible] [illegible] [illegible] [illegible] [illegible], his services during the first part term were disregarded and [illegible] [illegible] [illegible], [illegible] [illegible] was expressed until 1755 when Superintendent Johnson was [illegible].

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1. N. Y. Col. Doc's. VII. 19.

adopted. This result was brought about through the meeting at Albany, in 1754, of [illegible] [illegible] [illegible] [illegible]." These [illegible] proceedings [illegible] [illegible] that each tribe was to have a resident agent who was to have no concern in the trade" and who was to [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] particular district. The superintendent was, in turn, subject to [illegible] from the [illegible], Trade with the Indians was to be [illegible] [illegible] [illegible] subservient to public interest [illegible] [illegible] [illegible] [illegible].

The [illegible] of the [illegible] [illegible]

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1. Doc. Hist. N.Y. II. 350.

[illegible]

[illegible] tions, their duties [illegible] make all treaties between tribes and the Crown; see that their provisions were strictly observed; prevent all wars between tribes allies of the Crown; prosecute encroachments [illegible].

Trade.

The trader has always been the path-finder for civilization. [illegible] [illegible] [illegible] coasts; the Romans as they pushed [illegible] [illegible]; the French and English in America or the [illegible] [illegible] [illegible] [illegible] [illegible] are able to survive the onset to a higher plane of life.

That there was inter-tribal [illegible] [illegible]

[illegible]

The earliest Spaniards pushed ever on to the west and northwest incited by the stories of the coast Indians that their golden ornaments came from peoples who lived far inland in those directions. Early travelers [illegible][1]

Some of the north Atlantic tribes had a currency, wampum. This, together with the corn and furs which they supplied [illegible]

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[1] Force Tracts II 17.29.

against but [illegible] him [illegible]

[illegible] it is true;

but [illegible]

[illegible] ntations, any [illegible]

[illegible] became a desirab[illegible]

[illegible].

[illegible]

[illegible] of the Indians,

supplied them with presents.

By the aid of the iron utensils, the natives became a much greater producer. It is related by Governor that there was [illegible] of corn [illegible]. The Narragansetts could sell five hundred or one thousand bushels at a time!

[illegible] were supplied the colonists [illegible] Indians. Wampum in small quantities was introduced into [illegible] by Dutch traders. In exchange the Indians brought their beavers then of universal desire.

[illegible]

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[1] Mass. Hist. Coll. [illegible] II. 2[illegible]

[illegible] were brought to the Dutch [illegible] the [illegible] during a single year.

In [illegible] of this same year, [illegible] sent a shallop to trade with the [illegible] [illegible] cargo [illegible][1] [illegible] expedition, the smaller [illegible] with goodly cod-fish taken upon ye bankes --- [illegible] besids she had some 800 [illegible]. weight of [illegible]

---

[1] Turner [illegible] Fur Trade in the North West [illegible] XI [illegible]

other furs to a good value".
From this same report it appears that the Plymouth trade was under the direction of two factors chosen by the company. They were to have charge of the "cattle, cloath, shoes, [illegible], [illegible] etc." to be used in the trade, to make exchange for furs and ship them to England.

The colony however, in 1626, purchased the right to trade and to sell land by the yearly payment to the Company of [illegible]. [illegible]

[illegible]

[illegible]

[illegible]

[illegible] single [illegible] might buy a share and every father of a family might purchase as many shares as he had persons in his family[1]. As the colony was unable to meet its [illegible], the [illegible] was let in 1627 to a company of twelve undertakers, for a period of six years. After this time it was to return again to the use of the colony[2].

At the Hartford meeting of commissioners from the united colonies in 1644 various plans for [illegible] were discussed. Some of the commissioners advocated separate colonial [illegible], others [illegible]

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1. Mass. Hist. Coll's. S.4. II 215.
2. Mass. Hist. Coll's. S.4. III 226.

a hunting out" of the traders. There were those again who were willing to sanction individual and indiscriminate trading. It was however believed that there was to be trade in common stock.[1] From five to six thousand pounds was thought a sufficient sum with which to begin the trade.

The conditions for trade were substantially as follows. Every man throughout the colonies was to have the privilege of paying into the general fund at his discretion. No one was to have less than twenty pounds worth of stock. [illegible]

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[1] Plymouth Col. Records I. 22.

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] generally trust and are satisfied in". The latter were to be called undertakers and all others adventurers. In each jurisdiction the undertakers [illegible] [illegible] [illegible] nominated" [illegible] [illegible] to manage the joint stock. This management was to consist in "[illegible] [illegible] [illegible] setting forth shipping, [illegible] factors or servants to trade with the [illegible], receiving the Beaver or other proceeds of the [illegible] [illegible] [illegible] from time to time and whatever

[illegible]". This way of trading was to continue for ten years. The committees were to report to the Commissioners [illegible]. Each jurisdiction was to receive such a portion as the [illegible], [illegible] had given the exclusive [illegible][1] [illegible]

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[1] Mass. Records III 353.

of the [illegible] [illegible] [illegible] [illegible] by the [illegible] [illegible], [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] from the [illegible] [illegible]. The state became a [illegible] [illegible] [illegible] [illegible] that [illegible] [illegible] [illegible],

Massachusetts acquired ever increasing power in the Union. While the original plan of trade did not fail at the [illegible] of the [illegible] [illegible], the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. Finally in [illegible], Massachusetts [illegible] [illegible] [illegible] that the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

carried on for the benefit of [illegible]. [illegible]

[illegible]

[illegible]

[illegible] [illegible] as a money benefit

---

1. N. Y. Col. Docs. II. 2[illegible]3.

a [illegible]
accruing to the country by
virtue of the impose of wine,
[illegible],
[illegible],
[illegible],
[illegible]
[illegible]",
[illegible]
[illegible]
[illegible].

[illegible]
[illegible]
colonies by private traders.
[illegible]
from taking undue advantage
of the natives and other [illegible]
[illegible]
mooted question. Licenses

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[1] Mass. Records II part 2, 398.

were required for trading [illegible] [illegible].[1]

The Virginia Assembly in 1637 [illegible] it [illegible] to [illegible] for [illegible]. This act was repealed two years later and trading with the Indians was permitted by license granted at the discretion of the governor and council.[2] In 1656 all free men were given the privilege to trade without [illegible] restriction. Virginia again found it necessary to limit this freedom by [illegible] the Indian trade [illegible] [illegible] [illegible].

[illegible] trial [illegible]

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1. [illegible]

2. [illegible]

throughout the colony. These were to be free marts. They were held at places designated by the justices of the courts in the different counties, on the James, Rappahannock, and Potomac rivers, and in Accomac and Northampton counties respectively. The meeting at these stated marts occurred twice each year and the marts continued "forty days and no longer".

The Indians were to be allowed to bring any commodities which they might wish to trade, and barter or truck, for the same with the English, meeting them there, but nowhere else than any

commodities mentioned", any Englishman who traded with the Indians at any other times or places was to be fined [illegible] lbs. of Tobacco for each offence, one-half of which was to go to the informant and the remainder to the county.

Provision was made for the appointment by the governor of a clerk, in case the county clerk did not serve, at each of these fairs. His duties were to keep account of all [illegible] brought to market, the payment of the clerk's fees [illegible] [illegible] not [illegible], the governor's fees were similarly reserved. Although fairs seemed a good

[illegible] upon the [illegible] of the [illegible] of [illegible], the [illegible] [illegible], Virginia, in [illegible], [illegible] with the [illegible] [illegible] with the [illegible].

[illegible] the [illegible] [illegible] [illegible] [illegible] the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the [illegible] of the [illegible] [illegible] [illegible] of the [illegible] by the [illegible] [illegible] [illegible] the [illegible] [illegible] the [illegible] [illegible] [illegible]

[illegible]

Indians were willing to make [illegible] [illegible] [illegible] to supply them. How to restrain the traders and keep the Indians [illegible] easily solved. They became the basis for frequent legislation [illegible].

[illegible] [illegible] [illegible] as 1633 Massachusetts Bay Colony [illegible] [illegible] to any Indian, upon the penalty of ten pounds for every gun, [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]."[1] Thus
[illegible] when it [illegible] the
[illegible] [illegible] the Indian
[illegible] [illegible] [illegible] [illegible]
[illegible] his person [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
as [illegible] [illegible] [illegible] [illegible].
[illegible] [illegible] [illegible] [illegible] license
there was also given the
[illegible] [illegible] [illegible] [illegible], [illegible],
[illegible] [illegible] [illegible] [illegible] [illegible]. [illegible]
this means the Indians were
[illegible] [illegible] [illegible].

During the course of a
century [illegible] the [illegible]
of [illegible] [illegible], the [illegible]
[illegible] [illegible] confederation in which
they [illegible] [illegible] [illegible] to [illegible]

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1. N. Y. Col. Doc's. III 243.

encroachment, & now by laws and presents strove to keep the Indians hostile to all French encroachments.

Franklin saw clearly the need for much solicitation on the part of the English. In the plan of Union for 1754 he urges upon the Commissioners from the colonies: "That they make such laws as they judge necessary for regulating all Indian trade." He adds: "Many quarrels and wars have arisen between the colonies and Indian nations through the bad conduct of traders who cheat the Indians after making them drunk, &c.

great expense of the colonies both in blood and treasure. Particular colonies were so interested in the trade as not to be willing to admit such a regulation as might be best for the whole; and therefore it was thought best under a general direction".(1)

After the outbreak of hostilities between England and France, the Southern colonies still further [illegible] in the protection of the Indian trade. A [illegible] [illegible] of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] and Indian [illegible]. The [illegible] [illegible] [illegible] [illegible]; [illegible] [illegible] [illegible] [illegible]

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(1) N. Y. Col. Docs. VI, [illegible]

trade is carried at Oswego. This
intendant is to receive a stated
salary and is not to be in
any way concerned in the
Indian trade. His duties are
to endeavour to discover any
frauds and impositions on
the Indians; to inspect the
weights and measures and
see that they are of the
proper standards. He is to
bring all offenders to trial
before the commission officer
of the garrison and send all
convicted to New York in
irons. In addition, no trader
is to presume to carry on
trade unless he has a
license from the intendant.

[illegible] 's. That he will observe [illegible]

[illegible]

---

[1] [illegible]

[illegible] [illegible] the [illegible], [illegible] [illegible] they [illegible] to be [illegible] to sell beyond the so-called [illegible] [illegible] [illegible].[1]

It is worthy of note that the chief cause for the coming together of the Commissioners from the [illegible] at Albany in 1754, was incidentally to [illegible] some general plan for the Indian trade, for the success of French [illegible] [illegible] the [illegible] [illegible] with the savage. May it not further be said that in these trans[illegible] [illegible] [illegible] that [illegible] [illegible] the [illegible] to the colonies that rendered their first Union [illegible] [illegible]

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1. Colden Letters I 419 N. Y. Hist. Socy. Colls. 18

attained.

In 1767 the Assemblies of the colonies were given the power to regulate the Indian trade. As this was not effective, New York in the year 1770 issued a call to the governors of the other colonies and of Canada for the appointment of commissioners. At the meeting in July of that year, at New York there were present representatives from [illegible] New Jersey, Pennsylvania and some of the other colonies. [illegible] [illegible] [illegible] the commissioners [illegible] [illegible]. But as there was not a complete representation [illegible] [illegible] the

business, so intimately [illegible] [illegible] trade with the Southern [illegible] seemed to have been [illegible],

James Russell Lowell says; "The temperance question agitated the [illegible] very much and it [illegible] came to discussion, [illegible] [illegible] never [illegible] the anti-prohibition argument more forcibly stated than in a letter of [illegible]. [illegible], minister [illegible] village [illegible], in 183[illegible]: 'This [illegible] clearly evident, that there may be no sin in the act of drinking in any [illegible] [illegible] matter, but a [illegible] consistent [illegible] that [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]",[1]

[illegible]

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[1] Among my Books - New England Two Centuries Ago". 262

at the plantations because of the trading in furs, [illegible] had the great trading house [illegible] [illegible] Plymouth Colony set up [illegible] [illegible] [illegible] [illegible] first [illegible]. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. The Indians did not [illegible] to [illegible] the [illegible] [illegible] "fire-water" [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

[illegible] [illegible] [illegible] the [illegible] trading [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

---

1. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
Plymouth Col. [illegible] [illegible]

it with that of the French.[1] Under the English the profits induced the "dregs of the people, discharged provincial Soldiers, Batteaumen", [illegible]

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1. N. Y. Col. Doc., [illegible] 242.
Plymouth Col. [illegible]

Trading House System.

This method of trade with the Indians was in use for over one hundred years. After a trial in the colonies it passed [illegible] [illegible] [illegible] and [illegible] the United States government. Its final [illegible] [illegible] [illegible] [illegible] of the Indian trade did not come until the year 1822.

The term trading house was in use as early as 1625. It was applied to a house erected on the Kennebec river by some traders from Plymouth.(1) As has been noted, trade was in common at that time Commodities such as "Coats, [illegible], [illegible], & [illegible], [illegible]

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1 Mass. Hist. Coll. 5 s. III 283

goods, 'truck &c", were stored in the trading house in order to meet the trade which had previously been carried on with the Indians by fishermen. By an act of 1632, the Court of Boston ordained that there shall be a trucking house appointed in every plantation, whither the Indians may resorte to trade, to avoide there comeing to several houses".

But the terms were not used with their full intent until the year 1694. Massachusetts Bay colony in that year, through her governor, council, and representatives passed an act

for regulating the Indian trade.[1] This enactment contains a complete description of the trading house system, as it forms the basis for the establishment of all future trading houses, we shall consider its provisions somewhat at length. All trade with the Eastern Indians was to be carried on "at the charge of and with the publick stock in their majesties' treasury within this province and for the benefit and advantage of the same". Truck-masters were provided for. These were to be appointed by the Governor and the Commissioners of Impost,"

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[1] Province Laws Mass. Bay Colony, v.2 I sec.

These managers of the trade were to have a stated salary and to take an oath that they would not engage in trade on their own behalf. Instructions regarding the trade were to proceed from the governor and council. From time to time the accounts were to be laid before the General Court. It was further provided: "That no person or persons whatsoever, other than those to be employed as spoken of, shall directly or indirectly truck, barter, sell, deal or trade with any Indian or Indians under penalty of 500 £s and confiscation of goods."

The original stock was [illegible]. Any gains in the trade were used for the support of the government". Upon the renewal of the act in 1677, it was provided that the original investment with gains was to be reinvested in the trade. The reason for this increase of capital stock is that the French shall by all means be undersold". This was done to pave the way for the early establishment of trading houses.

French influence compelled a more extended trade by the colony. The friendship of the Indians was [illegible] [illegible]

to be maintained. In the year 1725, 4000 £'s were given for the support of trade at the different truck-houses.(1) The truckmasters were to buy the goods at wholesale prices and to sell them again at the lowest market rates,(2) and anyone who violated either of these provisions was upon conviction to be fined [illegible] £'s,

Acts concerning the trading houses were continued, the [illegible] of this nature at various times until and during the Revolutionary War. The year 1753 is of especial note in the history of this system, at which time the [illegible]

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1. Province Laws Mass. B. Colony 1725 [illegible]
2. Province Laws Mass. B. Colony 1725 [illegible]
See acts 1731, 1733, 1737, 1742, 1753, 1761, 1764.

of the [illegible]

[illegible] Pennsylvania. This, as to

[illegible]

[illegible]

acceptance of the method by

the [illegible] government. Franklin

was appointed [illegible] of the [illegible]

on the [illegible]. In the year

1753 he [illegible] a treaty with

them. They complained of their

abuses at the hands of the

private traders. Franklin was

anxious to remove the causes

for complaint. He wrote

[illegible]

for a copy of their "truck-house"

law and an account of its

[illegible]". Governor

Bowdoin reviewed the act as

Franklin's Works, Bigelow ed. [illegible]

operated in Massachusetts. He dwelt especially on the two effects of the "trading house system": 1. By selling at moderate rates they will not only be enabled to undermine the French trade but 2. will also remove the influence of the private trader.

Governor Dinwiddie, in 1755, referred to the passage of a similar trading house act in Virginia. The assembly voted 5000 £'s to commence the trade. Goods were sold at first cost. He urged the reasons already cited for the continuance of the act [illegible]

commended its use to all the colonies.[1] The trustees were directed to [illegible] [illegible] [illegible] [illegible] [illegible] on account of [illegible] [illegible], [illegible] [illegible] [illegible], the act of [illegible] [illegible] [illegible] [illegible].[2]

It is of interest [illegible] [illegible] that South Carolina [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of trade.[3] Her commissioners formed a closer corporation than did those of any other colony. Their seal of corporation [illegible] [illegible] the [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] houses established. The act [illegible] [illegible] [illegible] the [illegible]. [illegible]

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[1] [illegible]
[2] [illegible] Statutes at Large III [illegible]
[3] Statutes of South Carolina II 1682-1716, 677-680

[illegible] [illegible] [illegible] until the year 17[illegible].

As the connection of the two of these systems of trade by the colonies and by the United States is so close, I shall consider to [illegible] [illegible] [illegible] the [illegible] government. Trading houses, during and after Revolutionary times were [illegible] against [illegible] [illegible], as they had been [illegible] against the [illegible] previous to that time.

We have noted [illegible] [illegible] first in the system in 1753. Two years earlier than this in a letter concerning the gaining and preserving the friendship of the Indians" [illegible] [illegible] [illegible]

[illegible] have a good effect towards regulating the private trade, and preventing the impositions of the private traders, and therefore [illegible] frontiers". In 1776 Congress accepted the report of the committee [illegible] member[2] and voted 140.000 pounds to be invested in goods for this trade. The trade was to be under control of Congressional Commissioners. [illegible]

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1 Franklin's Works, Bigelow Ed. II 221.
2. Journals of Congress, 1775, pp. 162, 168, 247.

his annual addresses, he urges upon Congress the necessity for the safe establishment of such a system. Says the 5th. annual address of Dec. 3. 1793;(1) "Next to a rigorous execution of justice on the violators of peace, the establishment of commerce with the Indian nations, on behalf of the United States is most likely to conciliate their attachment. But it ought to be conducted without fraud, without extortion, with constant and plentiful supplies, with a ready market for the commodities of the Indians, and a stated price for what they give in payment and receive in exchange. Individuals will not pursue such traffic unless

they be allured by the hope of profit, but it will be enough for the United States to reimburse itself only."

After being commended by [illegible], [illegible][1] [illegible] [illegible] [illegible] liberal trade with the Indians. [illegible], the houses were established. [illegible]

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1. American State Papers, Ind. Affs., I, 58

[illegible]
[illegible][1] [illegible]

[illegible] that two trading houses were established, as an experiment among the Southern tribes,- The tribes at the north had not come into friendly intercourse. One of these houses was located among the Creeks at Colerain- [illegible]

Annals of Congress I, 230ff, 283

[illegible]

used for trading or for military posts.

[illegible]

at once know their values, and receive satisfactory [illegible]. Agents were then appointed by the President to obtain goods [illegible]

[illegible]

[illegible] up to this time and while there may have been some [illegible] in the system, in so far as it attached the natives [illegible] closely to the government and [illegible] warrant its continuance. It [illegible] by Congress to extend the time, using the same capital.

[illegible], [illegible] recommended, [illegible] the chief agents for [illegible] the savages to civilization, that the trading [illegible],

in order that [illegible] [illegible]
the [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] of [illegible] that
[illegible] [illegible]". He [illegible]
[illegible]. [illegible] [illegible]
of the system which [illegible] [illegible]
[illegible] in [illegible] [illegible]
[illegible] of [illegible] [illegible]
[illegible] as [illegible] [illegible]
[illegible] that [illegible] [illegible],
[illegible] [illegible] [illegible]
the [illegible] [illegible] the
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] the
[illegible] mill." The [illegible] for
[illegible] [illegible] the [illegible]
[illegible] of the [illegible]. The [illegible]

[illegible] employed in that commerce. [illegible]. The message [illegible] in [illegible] satisfaction manifested by the Indians of the Missouri and the Mississippi valleys, with their governmental relations and by their desire to [illegible].

The original time had now expired but there was no thought of a discontinuance of the system. At the close of the year 1811, there had been [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Bluffs, Mississippi Territory; [illegible] on the [illegible] river; Ft. Osage on the Missouri river; Ft. Madison on the upper Miss. river; Natchitoches on Red River; Ft. [illegible] on the [illegible]; [illegible]

and Ft. Michilimackinac [illegible] [illegible], [illegible] that the amount of money gained in these factories from 1807 to 1811 was 14,171 dollars. The [illegible] greater difficulty of communication with the sea-coast and the [illegible].

[illegible] [illegible]tly attested, not alone [illegible] of governmental weakness and

The causes for this peculiar failure are numerous(1) and explain, in a measure, the general instability of our government at that period. One of these was the greater influence over the Indian [illegible]. The great improvement in the English policy at this time is to be especially noted. Their treatment, as a government, [illegible] almost perfect. No person was eligible for the position of [illegible] unless he was able to speak some one of the Indian languages. [illegible]

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(1) American State Papers I., Ind. Affairs, I., 181. Indian Treaties, 399 et seq. [illegible] Hist. [illegible]

[illegible]
[illegible]
[illegible]
with the different [illegible]
with which he dealt. American
who were appointed to important
positions were men, many of
[illegible]
[illegible]
[illegible] how to conciliate him
in trade". The English gave
[illegible] officers of the Indian Department
[illegible]

[illegible]

on the minds of the natives. The highest British officials thought it not derogatory to their interests to smoke the pipe in converse with the Indians. They [illegible] themselves of the evil influences of [illegible]. Trading houses were established by the United States officials in conjunction with military posts. The relative importance of the officials in each of these posts had not been clearly defined and much embarrassment arose from conflicting orders. The superintendents were too often uninterested in their duties and [illegible] for [illegible] were [illegible] [illegible] competent [illegible].

The English made many presents to the Indians. When they came to the [illegible] meetings that the governor must distribute throughout the [illegible] present to appease them; they must continue in a "[illegible]" where they [illegible] to descend to the condition of [illegible].

The United States government attempted to use the same methods as those employed by the English. Either the amounts voted were insufficient or there was so much delay in transferring [illegible] directly [illegible] to the agents that they [illegible] the most [illegible] of the Indians. A letter from the agent at

[illegible] presents as follows: "From the issue last July to twenty-five chiefs, I am persuaded that [illegible] murmuring and discontent. [illegible]ing, openly confess themselves "dissatisfied with [illegible]". The [illegible] government, on the other hand, [illegible] about 20,000 dollars annually in [illegible] among the Chippewas." [illegible]

[illegible], [illegible], [illegible] [illegible], [illegible] [illegible] [illegible].

The [illegible] in the trading [illegible] [illegible] of the traders. The Commission of investigation reported [illegible] [illegible] of Men's and women's coarse and fine shoes, worsted and cotton [illegible], tea, [illegible], [illegible] [illegible] [illegible] been assured.

[illegible] that no white man should be allowed

to purchase [illegible] factures. Private traders were continually equipped from them [illegible], to the English themselves. Credit was [illegible] [illegible]. The private trader [illegible] to where [illegible] might be most thoroughly [illegible] to. Express provision was [illegible] that there were to be no profits in the [illegible]

in advance of the original county.

[illegible]

[illegible], [illegible], [illegible]. [illegible] [illegible] [illegible] in the [illegible].

With the organization of the county [illegible] [illegible] in the [illegible], [illegible] in 1822 [illegible]

[illegible]. Heavy losses were [illegible]. [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible], [illegible] [illegible]

Indian Slavery.

The Southern Indians were, in general, in a more advanced social stage than were the hunter tribes of the North. The tribes of Florida were an almost distinctively agricultural people. They raised enough maize and beans for subsistence during the greater portion of the year. It is thought that well authenticated traces of their palisaded villages and raised mounds are still visible. This accounts for the more ready conquest of these unwarlike tribes by the Spaniards. It may also explain the more ready inter-marriage of the Spaniards

[illegible]

[illegible] [1] [illegible] [2]

---

[1] [illegible]

[2] [illegible]

I have gone [illegible] the "encomienda" [illegible] "[illegible]". In this term, [illegible] [illegible] [illegible] [illegible] [illegible] the right [illegible] [illegible] [illegible] them, [illegible] [illegible] [illegible] [illegible], [illegible] through [illegible].

In the [illegible], [illegible] the [illegible], seems to have gone further and to have allowed the Spaniards to treat their [illegible] as [illegible], to be taken to [illegible] anywhere and without any restriction". The [illegible] [illegible] [illegible] this [illegible] [illegible] [illegible] [illegible].

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1. Helps, Spanish Conquest, II [illegible]

[illegible] [illegible]tigated condition of Indian slavery among the [illegible] colonists. The Indian [illegible] [illegible] of the [illegible]. The [illegible] [illegible] the chief factor.

I [illegible] consider, as far as [illegible], slavery as [illegible] of the Indian [illegible], [illegible] [illegible] of Indians in the [illegible] [illegible] By this [illegible], [illegible]

The duty of exacting such atonement was performed by a higher morale than that which had previously sacrificed the life of the victim.

But written legislation was a slow growth in Massachusetts. "None of the laws of this colony were printed until 1648."[1] As early as 1635, however it was thought by the body of freemen that the magistrates had acquired too great power. With their wrongs as a basis, they proceeded to frame the celebrated declaration of rights known as "Body of Liberties". In the [illegible]

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[1] Palfrey History of New England II 22.

articles of which it is composed, two of them have especial reference to slaves. These provisions form the first enactments establishing slavery in America. One article declares[1]: "There shall never be any bond slaverie, villinage or Captivitie amongst us unles it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or are sold to us. ... This exempts none from servitude who shall be Judged thereto by Authoritie".

This may be regarded as a restrictive clause. There been [illegible]

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1. Mass. Hist. Socy. Coll. 5. 3. VIII. 231.

institution of slavery was to continue, although [illegible] to those classes of [illegible].

Slavery was not [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the [illegible] [illegible]. Nor are we to judge too harshly these views of the early "fathers". The Indian was wont to acquiesce to the requirement [illegible] [illegible] that of his own rude usage. The colonist must defend himself by [illegible] [illegible] [illegible]

[illegible].

[illegible] [illegible]. It is argued [illegible] the [illegible] [illegible], [illegible] the [illegible] [illegible], [illegible] [illegible] of [illegible][1].

[illegible] of the [illegible] the [illegible] [illegible] 37 [illegible] the [illegible] of the [illegible]; the [illegible], [illegible] of [illegible] of [illegible], [illegible] the [illegible] [illegible] [illegible] [illegible] [illegible]

---

[1] See [illegible], [illegible] of [illegible] [illegible] 25, [illegible] [illegible] [illegible].

women & maid children are
disposed aboute in ye townes".
[illegible]
[illegible]
[illegible]
[illegible]
dealing with the Indian captives.
"[illegible]", writes the author, "is verie considerable
[illegible],
[illegible]
[illegible],
[illegible]
[illegible] of the devill" which their
[illegible] often doe; & lie, if
[illegible]
should deliver them into our
[illegible] might easily have
[illegible] many

to exchange for Moores, which
will be more gainefull pilladge
for us than wee conceive, for
I doe not see how wee can
thrive untill wee gett into a
stock of slaves sufficient to
doe all our businesse, for
our childrens children will
hardly see this great Con-
tinent filled with people, soe that
our servants will still desire
freedome to plant for them-
selves, and not stay but for
verie great wages. And I
suppose you know verie well
how wee shall maynteyne
20 Moores cheaper than one
Englishe servant.

[illegible]

to the desirability of negroes by
[illegible]
of Indians for them was
maintained by the United Colonies.
In the early years of this
[illegible]
[illegible]
[illegible]
because of the cost of maintenance.
The delinquents or their tribe
might make reparation, if
[illegible]
[illegible]
[illegible]
[illegible]ty or pties indamaged, either
to serve or to be shipped out
[illegible]
[illegible]"[1]

Probably the first negroes

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[1] Plymouth Records IX. 71.

slave law ever enacted in America was that passed by the United Colonies in 1672[1]. It provided for the return to his master of any escaped servant. Such servant was to be given over to any person who claimed to be master of the escaped party, providing he showed the right of ownership through a magistrate's certificate. Upon due proof of the right of ownership, any magistrate was to "grant such a warrant as the case will beare for the apprehending of any such person; and the delivering of him or her into the hand of the owner and if help be required it

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[1] Plymouth Records X, [illegible]
Mass. Col. Records II [illegible]

shall be [illegible], and paying the charge thereoff".

During King Philip's War, the number of [illegible] greatly enlarged. At a meeting of the Plymouth Council in 1676 [illegible], it was concluded, "[illegible] and deliberate consideration and [illegible] concerning them, [illegible] the greater number "unto servitude".[1] It was further provided in 1676, that any who held Indian male captives were to dispose of them by the end of the year. Any who held them captives beyond the time stipulated were to forfeit them to the colony.[2]

A fiscal report of the United

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1. Plymouth Records V 173, 174.
2. Plymouth Records XI 242.

[illegible]

[illegible] 58 [illegible], [illegible]

3 s. 7. 3d. [illegible], [illegible]

[illegible]

[illegible]

the [illegible]. Besides the above,

[illegible], [illegible],

[illegible]

[illegible], they fulfillinge their Respective Indentures"[2].

It would seem that the [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Plymouth Records I [illegible].

2. [illegible], [illegible]

[illegible] [illegible] brethren [illegible] the "[illegible] [illegible] [illegible] [illegible] [illegible] money [illegible] [illegible] [illegible] they have engaged to pay three pounds more in the same [illegible]". The order further [illegible] in the case of a [illegible] Indian", that he [illegible] remain with his master until he [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]".

"[illegible] [illegible], [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]"[2] [illegible] prisoners, [illegible] [illegible] [illegible] children [illegible] [illegible] [illegible] were sent into [illegible] [illegible] [illegible] were sold, [illegible] [illegible] [illegible] [illegible] [illegible]

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1. Plymouth Records III [illegible]
2. Bancroft, Hist. of U. S. I [illegible]

slaves chiefly in the term of their bondage. Where white and negro [illegible] [illegible] of Indian enslavement in [illegible] [illegible] [illegible] had been sired by the English. All such stolen child- [illegible] [illegible] by the offending party.(1)

Troubles arose from time [illegible]

---

(1) [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]tiff was given the right,

[illegible]

[illegible], [illegible] as many Indians,

[illegible] the country", as the Court

might prescribe.(1) It is of interest

[illegible]

[illegible].

All such Indians, as well as

those who spoke the English lang-

uage and "desired baptism" were

[illegible].

There is [illegible]

[illegible] in [illegible]

servant imported into the colony

by shipping was to be a slave

---

(1) [illegible]

[illegible]. Of those who came by [illegible] they attained the [illegible] imported was freed at the expiration of twelve years. [illegible] in [illegible].

[illegible]. Bacon's laws [illegible] that all Indians taken [illegible] accounted

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[illegible] Statutes at Large, [illegible]

[illegible]

In 1691 all former law [illegible] were repealed. Indians henceforth [illegible] (2) The [illegible] made a slave". Although "the [illegible] of 1691 implied that the Indian could not be a slave [illegible] trade; still it remained

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1. [illegible], Statutes at Large II 3[illegible]
2. Hening, Statutes at Large III. 69.

[illegible] [illegible], [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible].

By the treaty of Albany in
1722 [illegible] [illegible] [illegible] were
to cross the Potomac river
without license. Nor were
any of the Five Nations or their
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible], [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] trans-
portation.(1) Many of the more
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible], [illegible] [illegible], [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible], [illegible]
[illegible] [illegible]. [illegible] [illegible], in
consequence, be interpreted
for any one class.(2)

[illegible] [illegible] [illegible] [illegible] [illegible]

---

1. Virginia Laws, 1722, [illegible] [illegible] I
Bond [illegible]. I, [illegible].
2. Hening Statutes at Large II, 491, III 140, 40[illegible],

[illegible] in [illegible] 12 [illegible]

[illegible], it

[illegible]

[illegible] of the [illegible].

[illegible] to the India-

[illegible]

[illegible]. The [illegible]

[illegible] in 1874.

[illegible] Indian

[illegible]; "The [illegible]

[illegible] might have been

[illegible]

[illegible], [illegible]

[illegible]

[illegible]; [illegible]

[illegible]

[illegible]"[1]

[illegible]

[illegible] of the [illegible] of [illegible]

---

[1] [illegible]

children were not been given
into the hands of the English
that they might be instructed."
As early as [illegible] Colonel Johnson
wrote Governor Clinton of
this usage as follows: "I am
very glad your Excellency
has given orders to return
the Indian children [illegible],
which were sent by the Province
as hostage or pledges as they
call it, but rather taken
from them, as the Indians [illegible]
of the [illegible] [illegible] to [illegible]
[illegible] that they sent them [illegible]
before hand, and as they were
children of our Friends and allies
[illegible] they were not [illegible]
[illegible] it [illegible] [illegible] [illegible]"

N. Y. Col. Docs. VI. 532.

the French [illegible] the [illegible] Nations, viz. that we looked upon them as our slaves or Negroes".(1)

Connecticut had some cases of Indian slavery, [illegible] by the [illegible] of the United Colonies. The General Court in 1676 ordered that all Indians who surrendered themselves within a stated time should not be sold "out of the country for slaves".(2) Their [illegible] ten years of faithful service. A law of 1715 while prohibiting the importation of Tuscaroras(3) forbade all importations.

The general conclusions may be stated: That while there

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1. N. Y. Col. Doc's, VI 546.
2. Conn. Col. Records 1665-1677, 297, 485.
3. Conn. Col. Records 1715 534.

were cases of the enslavement of the Indians in the colonies, these were not general. Prisoners as noted, were captured in the wars. The colonists feared to keep them and in consequence sold their captives into foreign countries. Negro slavery was more profitable. Some of the colonists were advocates of the general improvement of the natives by education and religion. These were of little effect so long as slavery was maintained.

Biographical.

[illegible] Elton [illegible] was born at [illegible] [illegible], in Grant County, Wisconsin, [illegible] [illegible]. He received his early training in a district school. By [illegible] [illegible] [illegible] of the [illegible] [illegible], he was graduated from the State Normal School at Platteville, Wisconsin. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the [illegible] [illegible] [illegible] [illegible] University of Wisconsin [illegible] [illegible] [illegible].

In [illegible] [illegible], he [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

was elected to the junior class,
by a unanimous vote of the faculty.
He was graduated in [illegible],
giving the Valedictory Address.

He was elected Principal
of the High School at Darlington,
Wisconsin which position he
held two years.

In [illegible], he
entered the Johns Hopkins
University and began the
study of History as a
major and Political Economy
and Philosophy as Subordinates.
He took extra courses in
Administration and Sociology.

He was made Doctor
in History in January 1892 and
[illegible] in June of the same year.

He takes this opportunity to acknowledge the many kindly suggestions and the general inspiration given him by Professor Herbert B. Adams, by Professor E. H. Griffin, and by Professor George H. Emmott.

61543

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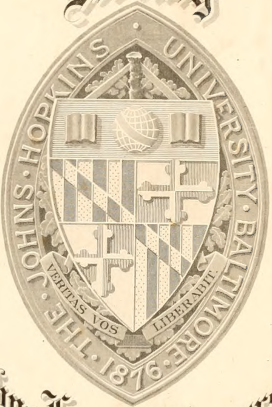
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